

(6)

JP

-1-

1 Your Name: Ryan Tuttle  
 2 Address: ~~111~~ 1001 Bridgeway #611  
 3 Phone Number: N/A  
 4 Fax Number: N/A  
 5 E-mail Address: Tuttler28@gmail.com  
 6 Pro Se Plaintiff Ester IN judgement

FILED

APR 20 2022

CLERK, U.S. DISTRICT COURT  
NORTH DISTRICT OF CALIFORNIA

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

KAW.

CV22 02441

11 Ryan Tuttle  
 12  
 13 Plaintiff,  
 14 vs.  
 15 City of San Jose et al  
 16  
 17  
 18  
 19 Defendant.

Case Number [leave blank]

## COMPLAINT

42 USC 1983 1985  
18 USC 2331

## DEMAND FOR JURY TRIAL

Yes ☒ No ☐

ES Filed CONCURRENTLY  
Application For TRO  
Declaration Arthur Bruce  
Declaration Brian Hagan  
Declaration Robbie POWELSON  
Proposed order

## PARTIES

1. Plaintiff. [Write your name, address, and phone number. Add a page for additional plaintiffs.]

23 Name: RYAN Tuttle  
 24 Address: ~~111~~ 1001 Bridgeway #611, San Jose CA 94965  
 25 Telephone: N/A

COMPLAINT

PAGE \_\_\_\_ OF \_\_\_\_ [JDC TEMPLATE - Rev. 05/2017]

## 2. Defendants. [Write each defendant's full name, address, and phone number.]

## Defendant 1:

Name: Chris Zapata, City Manager of City of SausalitoAddress: 420 Litho Street, Sausalito CA 94965

Telephone: \_\_\_\_\_

Capacity ind ☒ Official ☒

## Defendant 2:

Name: City of SausalitoAddress: 420 Litho Street, Sausalito CA 94965

Telephone: \_\_\_\_\_

Capacity ind ☒ Off ☒

## Defendant 3:

Name: Police Chief - Rohrbacher, JohnAddress: 420 Litho Street, Sausalito CA 94965

Telephone: \_\_\_\_\_

Capacity ind ☒ Off ☒Defendant 3: Lieutenant Stacie Gregory Sausalito PD

Name: \_\_\_\_\_

Address: \_\_\_\_\_



URBAN Alchemy



1035 Market Street, 150, San Francisco, CA 94103

COMPLAINT

PAGE \_\_\_\_ OF \_\_\_\_ [JDC TEMPLATE - Rev. 05/2017]

2. Defendants. [Write each defendant's full name, address, and phone number.]

Defendant 1:

Name: Janelle Kellman, Sunnyvale Mayor

Address: 420 Lido Street, Sunnyvale, CA 94065

Telephone: \_\_\_\_\_

Defendant 2:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

Defendant 3:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

### JURISDICTION

[Usually only two types of cases can be filed in federal court, cases involving "federal questions" and cases involving "diversity of citizenship." Check at least one box.]

3. My case belongs in federal court

☒ under federal question jurisdiction because it involves a federal law or right.

[Which federal law or right is involved?] \_\_\_\_\_

☐ under diversity jurisdiction because none of the plaintiffs live in the same state as any of the defendants and the amount of damages is more than \$75,000.

COMPLAINT

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## VENUE

[The counties in this District are: Alameda, Contra Costa, Del Norte, Humboldt, Lake, Marin, Mendocino, Monterey, Napa, San Benito, Santa Clara, Santa Cruz, San Francisco, San Mateo, or Sonoma. If one of the venue options below applies to your case, this District Court is the correct place to file your lawsuit. Check the box for each venue option that applies.]

4. Venue is appropriate in this Court because:

- ☒ a substantial part of the events I am suing about happened in this district.
- ☐ a substantial part of the property I am suing about is located in this district.
- ☐ I am suing the U.S. government, federal agency, or federal official in his or her official capacity and I live in this district.
- ☐ at least one defendant is located in this District and any other defendants are located in California.

## INTRADISTRICT ASSIGNMENT

[This District has three divisions: (1) San Francisco/Oakland (2) San Jose; and (3) Eureka. First write in the county in which the events you are suing about happened, and then match it to the correct division. The San Francisco/Oakland division covers Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, and Sonoma counties. The San Jose division covers Monterey, San Benito, Santa Clara, Santa Cruz counties. The Eureka division covers Del Norte, Humboldt, Lake, Mendocino counties, only if all parties consent to a magistrate judge.]

5. Because this lawsuit arose in Marin County, it should be assigned to the SF/Oakland Division of this Court.

## STATEMENT OF FACTS

[Write a short and simple description of the facts of your case. Include basic details such as where the events happened, when things happened and who was involved. Put each fact into a separate, numbered paragraph, starting with paragraph number 6. Use more pages as needed.]

The police of Sausalito (Stacy Gregorie) told me that I can not put up nor will they give me a tent in the tennis courts of Sausalito where the police have made the Homeless have to camp. So denying me this has really effected me in the worst way - I can not get employment and maintain

COMPLAINT

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1 and Be a productive member of society without  
2 being employed. So the fact that the city of Sausalito  
3 has denied me a place at the homeless camp and will  
4 not let me camp on the sidewalk of Sausalito. I currently  
5 have a boat but am trying to take myself off the  
6 water so I can get employment and pay taxes  
7 like the rest of the population. the police have also towed  
8 my 1991 Toyota pick up truck the day after Halloween illegally  
9 with out a 72 hour tow tag. that was my way to maintain  
10 self employment. about 8 months ago I had my moped with  
11 it: a bicycle with a motor pedal and all and the police  
12 at Sausalito told me they were going to tow my moped. so I  
13 had moved my Bike and not to long after my moped was  
14 stolen and I made a police report and the officer that  
15 took my statement was laughing at the situation after she  
16 learned that I lived out on Richardson bay Anchored  
17 out.

26 //

27 //

28  
COMPLAINT

PAGE \_\_\_\_ OF \_\_\_\_ [JDC TEMPLATE - Rev. 05/2017]

**CLAIMS****First Claim**

(Name the law or right violated: Violation of the First Amendment 42 USC 1983)

(Name the defendants who violated it: \_\_\_\_\_)

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.. Describe how Defendants actions have violated you exercise of freedom of speech, freedom of press, right to peaceably assemble, and right to petition the government. For example, are Defendants actions forcing you out of your voting precinct. ]

1. By not allowing me to camp at my house DEFENDANTS ARE VIOLATING MY FIRST AMENDMENT RIGHT TO FREELY ASSOCIATE.

2. By trying to kick me out of my city they are violating my freedom to associate.

SECOND Claim(Name the law or right violated: 42 USC 1983 + 1985 4<sup>th</sup> Amendment)(Name the defendants who violated it: ALL DEFENDANTS)

The Fourth Amendment States The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized. Describe how defendants are are unreasonably searching and seizing you property without just cause or due process of law. \_\_\_\_.

BY ~~THE~~ Seizing and searching MY  
prospective domicile, they are violating  
MY right against unlawful searches and  
seizures, without due process of law.

Third Claim

(Name the law or right violated: 42 USC 1983+1985, Right Bodily Integrity) (Name the defendants who violated it: ALL DEFENDANTS)

\_\_\_\_\_. The Fourth amendment The right of the people to be secure in their persons, . Courts have interpreted this to mean there is a fourth amendment right to bodily integrity in that the Government cannot molest or damage your human body. Describe how defendants are physically putting hurting you, putting your life in jeopardy, causing injuring or increasing the risk of injury or death.

By EXPOSING ME TO ELEMENTS and COVID 19 by destroying my ability to shelter in place DEFENDANTS ARE VIOLATING my 4th Amendment right TO BODILY INTEGRITY by depriving me of my vehicle and ability to camp.

FOURTH CLAIM

Violation 42 USC 1983+1985 5<sup>th</sup> AMENDMENT

By depriving me of due process of law to contest these issues before a competent tribunal, court, or any appeal process DEFENDANTS ARE VIOLATING MY 5th AMENDMENT RIGHTS in regards to my truck and campsite.

Fifth CLAIM

Violation 42 USC 1983+1985 8<sup>th</sup> Amendment

By Taking away my vehicle and harassing me while camping the city is subjecting me to excessive fines and cruel punishment.

[Copy this page and insert it where you need additional space.]

SIXTH CLAIM

Violation 42 USC 1983 14<sup>th</sup> Amendment

by depriving me of equal protection of  
the law because I am unhoused, defendants  
are violating my Fourteenth Amendment  
Right to equal Protection under the  
law.

COMPLAINT

PAGE \_\_\_\_ OF \_\_\_\_ [JDC TEMPLATE - 05/17]

Ryan Tuffe

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## Claim

(Name the law or right violated: A VIOLATION 18 USC 2381) (Name  
the defendants who violated it: ALL DEFENDANTS)

The Fourth amendment The right of the people to be secure in their persons, . Courts have interpreted this to mean there is a fourth amendment right to bodily integrity in that the Government cannot molest or damage your human body. Describe how defendants are physically putting hurting you, putting your life in jeopardy, causing injuring or increasing the risk of injury or death.

BY using force and fear to  
coerce me a civilian, out of the  
city DEFENDANTS are engaging in  
TERRORISM, by unlawfully coercing all untoused  
people out of the city

Ryan Tuttle

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**DEMAND FOR RELIEF**

[State what you want the Court to do. Depending on your claims, you may ask the Court to award you money or order the defendant to do something or stop doing something. If you are asking for money, you can say how much you are asking for and why you should get that amount, or describe the different kinds of harm caused by the defendant.]

That The Court enjoin DEFENDANTS  
FROM terrorizing me and attacking  
my places of dwelling

**DEMAND FOR JURY TRIAL**

[Check this box if you want your case to be decided by a jury, instead of a judge, if allowed.]



Plaintiff demands a jury trial on all issues.

Respectfully submitted,

Date:

4/20/2022

Sign Name:



Print Name:

Ryan Tuttle

COMPLAINT

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JS-CAND 44 (Rev. 10/2020)

## CIVIL COVER SHEET

The JS-CAND 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved in its original form by the Judicial Conference of the United States in September 1974, is required for the Clerk of Court to initiate the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

## I. (a) PLAINTIFFS

Ryan Tuttle

(b) County of Residence of First Listed Plaintiff  
(EXCEPT IN U.S. PLAINTIFF CASES)

Marin

(c) Attorneys (Firm Name, Address, and Telephone Number)

Pro se

## DEFENDANTS

City of Sausalito

County of Residence of First Listed Defendant  
(IN U.S. PLAINTIFF CASES ONLY)NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF  
THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

Mary Wagner, Alex Meritt, Arthur Friedman

## II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff ☒ 3 Federal Question  
(U.S. Government Not a Party)
- ☐ 2 U.S. Government Defendant ☐ 4 Diversity  
(Indicate Citizenship of Parties in Item III)

## III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

	PTF	DEF		PTF	DEF
Citizen of This State	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Incorporated or Principal Place of Business In This State	4	4
Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business In Another State	5	5
Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	6	6

## IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
110 Insurance	<b>PERSONAL INJURY</b>	625 Drug Related Seizure of Property 21 USC § 881	422 Appeal 28 USC § 158	375 False Claims Act
120 Marine	310 Airplane	690 Other	423 Withdrawal 28 USC § 157	376 Qui Tam (31 USC § 3729(a))
130 Miller Act	315 Airplane Product Liability			400 State Reapportionment
140 Negotiable Instrument	320 Assault, Libel & Slander	<b>LABOR</b>	<b>PROPERTY RIGHTS</b>	410 Antitrust
150 Recovery of Overpayment Of Veteran's Benefits	330 Federal Employers' Liability	710 Fair Labor Standards Act	820 Copyrights	430 Banks and Banking
151 Medicare Act	340 Marine	720 Labor/Management Relations	830 Patent	450 Commerce
152 Recovery of Defaulted Student Loans (Excludes Veterans)	345 Marine Product Liability	740 Railway Labor Act	835 Patent—Abbreviated New Drug Application	460 Deportation
153 Recovery of Overpayment of Veteran's Benefits	350 Motor Vehicle	751 Family and Medical Leave Act	840 Trademark	470 Racketeer Influenced & Corrupt Organizations
160 Stockholders' Suits	355 Motor Vehicle Product Liability	790 Other Labor Litigation	880 Defend Trade Secrets Act of 2016	480 Consumer Credit
190 Other Contract	360 Other Personal Injury	791 Employee Retirement Income Security Act	<b>SOCIAL SECURITY</b>	485 Telephone Consumer Protection Act
195 Contract Product Liability	362 Personal Injury—Medical Malpractice	<b>IMMIGRATION</b>	861 HIA (1395ff)	490 Cable/Sat TV
196 Franchise	<b>CIVIL RIGHTS</b>	462 Naturalization Application	862 Black Lung (923)	850 Securities/Commodities/Exchange
	440 Other Civil Rights	465 Other Immigration Actions	863 DIWC/DIWW (405(g))	890 Other Statutory Actions
<b>REAL PROPERTY</b>	441 Voting		864 SSID Title XVI	891 Agricultural Acts
210 Land Condemnation	442 Employment		865 RSI (405(g))	893 Environmental Matters
220 Foreclosure	443 Housing/Accommodations		<b>FEDERAL TAX SUITS</b>	895 Freedom of Information Act
230 Rent Lease & Ejectment	445 Amer. w/Disabilities—Employment		870 Taxes (U.S. Plaintiff or Defendant)	896 Arbitration
240 Torts to Land	446 Amer. w/Disabilities—Other		871 IRS—Third Party 26 USC § 7609	899 Administrative Procedure Act/Review or Appeal of Agency Decision
245 Tort Product Liability	448 Education	<b>OTHER</b>		950 Constitutionality of State Statutes
290 All Other Real Property		510 Motions to Vacate Sentence		
		530 General		
		535 Death Penalty		
		540 Mandamus & Other		
		550 Civil Rights		
		555 Prison Condition		
		560 Civil Detainee—Conditions of Confinement		

## V. ORIGIN (Place an "X" in One Box Only)

- ☒ Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from Another District (specify) ☐ 6 Multidistrict Litigation—Transfer ☐ 8 Multidistrict Litigation—Direct File

## VI. CAUSE OF ACTION Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

42 USC 1983 42 USC 1985 18 USC 2331

Brief description of cause:

## VII. REQUESTED IN COMPLAINT: CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, Fed. R. Civ. P.

DEMAND \$

greater than \$25,000

CHECK YES only if demanded in complaint:  
JURY DEMAND: ☒ Yes ☐ No

## VIII. RELATED CASE(S), IF ANY (See instructions):

JUDGE

EMC

DOCKET NUMBER

55 14

## IX. DIVISIONAL ASSIGNMENT (Civil Local Rule 3-2)

(Place an "X" in One Box Only)

☒ SAN FRANCISCO/OAKLAND☐ SAN JOSE☐ EUREKA-MCKINLEYVILLE

DATE

4/20/2022

SIGNATURE OF ATTORNEY OF RECORD

Ryan Tuttle